

UNITED STATES DISTRICT COURT
for the
Southern District of Mississippi

United States of America

)

v.

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Paula Villalva-Patricio

)

Case No. 1:12mj 527

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)

Defendant(s)

SOUTHERN DISTRICT OF MISSISSIPPI
FILED
AUG - 9 2012
J. T. NOBLIN, CLERK
BY _____ DEPUTY

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 1/1/2011 through 11/15/2011 in the county of Jackson in the
Southern District of Mississippi, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 554	Smuggling Goods from the United Staes

This criminal complaint is based on these facts:

See attached affidavit incorporated herein.

Continued on the attached sheet.



Complainant's signature

Brent Druery S/A HSI
Printed name and title



Judge's signature

Sworn to before me and signed in my presence.

Date: AUG. 9, 2012

City and state: Gulfport, Mississippi

Robert H. Walker, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

After first being duly sworn, I, Brent Druery, do hereby state as follows:

1. I, Special Agent Brent Druery, am a duly sworn Special Agent with the Department of Homeland Security, Homeland Security Investigations (HSI), presently assigned to the Office of the Resident Agent in Charge, Gulfport, Mississippi (HSI Gulfport). I have been a Special Agent since November 2002.

2. Based upon my personal knowledge and information I have received from others involved in the investigation, I am aware of the following facts:

3. On August 31, 2011, Jackson County Sheriff's Officer (JCSO) Deputy Richard Palmer conducted a traffic stop on a 1994 Ford Ranger pickup truck bearing North Carolina license plate AAL1981. The Ford Ranger pickup truck was pulling a 2001 Hudson utility trailer bearing North Carolina license plate BS40889, which contained two four wheelers. The driver was identified as Jose Luis Santos-Garcia, a legal permanent resident of the United States and citizen of Mexico. The passenger was identified as Paula **VILLALVA-PATRICIO**, wife of Santos Garcia. **VILLALVA-PATRICIO** is a legal permanent resident of the United States and citizen of Mexico. A consensual search of the truck revealed one (1) flak jacket concealed in a natural void underneath the truck and two (2) flak jackets and two (2) pistols concealed inside the spare tire underneath the truck. The pistols were further identified as:

- a. One (1) 92 SS Centurion 9mm pistol displaying serial number BER304403Z
- b. One (1) 92 SS 9mm pistol displaying serial number BER098576.

4. On September 2, 2011, Special Agent (SA) Brent Druery, SA Sal Barrientos, and JCSO Detective Jeff Smith interviewed **VILLALVA-PATRICIO**. **VILLALVA PATRICIO** made the following statements during the interview:

VILLALVA-PATRICIO stated Oscar came to her residence and asked SANTOS-GARCIA (her husband) to transport the four wheelers from North Carolina to Houston, Texas.

VILLALVA-PATRICIO stated she did not know Oscar's last name.

VILLALVA-PATRICIO stated Oscar borrowed the truck and returned with the trailer and four wheelers.

VILLALVA-PATRICIO described Oscar as approximately 5' to 5'1", and fat.

VILLALVA-PATRICIO stated Oscar was going to pay Santos-Garcia \$500 to \$600 dollars to transport the four wheelers to Houston.

VILLALVA-PATRICIO stated Oscar was going to call on her cellular telephone and give them further instructions once they were outside of Houston.

VILLALVA-PATRICIO stated they had spoken to Oscar since they departed North Carolina.

VILLALVA-PATRICIO stated she met Oscar 4-5 months ago at a birthday party.

VILLALVA-PATRICIO stated Oscar drove an old blue Ford Escort.

VILLALVA-PATRICIO stated Santos Garcia does tile/floor work.

VILLALVA-PATRICIO stated Santos Garcia sometimes transports vehicles from North Carolina to Mexico for approximately \$1,500.

VILLALVA-PATRICIO stated she had no knowledge of the firearms or the flack vests being concealed within the Ford Ranger.

5. On November 1, 2011, JCSO Deputy Will Thornton conducted a traffic stop on the aforementioned Ford Ranger displaying North Carolina license plate AAL1981. The driver was identified as Javier Molina, a U.S. citizen. A consensual search of the truck revealed the following firearms and firearm components concealed throughout various compartments underneath the truck:

- a. Smith and Wesson 45 caliber firearm displaying serial number VYY5282.
- b. Bersa 380 caliber firearm displaying serial number 985142.
- c. Bersa 380 caliber firearm displaying serial number 307915.
- d. Bersa 380 caliber firearm displaying serial number A42456.
- e. Bersa 380 caliber firearm displaying serial number B26543.
- f. Inner Arms 380 caliber firearm displaying serial number A00573.
- g. Jennings 22 caliber firearm displaying serial number 704118.
- h. Jennings 22 caliber firearm displaying no serial number.
- i. Ruger 1022 firearm displaying serial number 357-20827.
- j. Marlin 22 caliber firearm displaying serial number 05299413.
- k. Marlin 22 caliber firearm displaying serial number 91474569.
- l. Mossburg 410 firearm displaying serial number T646980.
- m. Remington 12 gauge firearm displaying serial number L133915V.
- n. Ruger 22 caliber firearm displaying serial number 236-73587.
- o. Unknown make 12 gauge firearm displaying serial number L1349318.
- p. Marlin 22 caliber firearm displaying serial number 18511993
- q. Marlin 22 caliber firearm displaying serial number 11348544.
- r. Remington 22 caliber firearm displaying serial number B1604636.
- s. Maverick Mossburg firearm displaying serial number MV25043N.
- t. Savage 22 caliber firearm displaying serial number 2223093.
- u. Unknown make 12 gauge firearm displaying serial number L2920836.
- v. Forty-four (44) 410 caliber rounds of ammunition.
- w. Fifty (50) 45 caliber rounds of ammunition.
- x. One hundred ninety six (196) 9mm rounds of ammunition.
- y. Seventy one (71) 12 gauge rounds of ammunition.
- z. One (1) 454 round of ammunition.
- aa. Five hundred and forty (540) 22 caliber rounds of ammunition.
- bb. Nine (9) 380 caliber magazines.
- cc. Two (2) 22 caliber magazines.
- dd. Two (2) 9mm magazines.
- ee. Two (2) 45 caliber magazines.
- ff. One (1) 30 caliber magazine.
- gg. One (1) Bushnell sports view 4x32 power scope.
- hh. One (1) BSA 3x9x40 power scope.

- ii. Six (6) miscellaneous gun stocks.
- jj. Four (4) 12 gauge barrels.

6. On April 27, 2012, Special Agent (SA) Brent Druery and SA Toni Zavala interviewed Molina at the Pearl River County Correctional Facility. Molina made the following statements during the interview.

Molina stated unknown people were consistently coming and going from the residence of Santos Garcia and **VILLALVA PATRICIO**, delivering guns.

Molina stated he would assist Santos Garcia in breaking down, wrapping, and concealing the firearms under various vehicles.

Molina stated Paula **VILLALVA PATRICIO**, Tito, and Jose Jr. (sons of Santos Garcia and **VILLALVA PATRICIO**) also assisted in packaging the guns.

Molina stated **VILLALVA PATRICIO** is in charge of the gun business.

Molina further explained he believes **VILLALVA PATRICIO** is in charge of the gun business because she handles all the money.

Molina stated the initials taped on the outside of the firearms and firearm components identified where the guns were going in Mexico or whom the firearms were being sent by in the United States. (Note: each weapon seized from Molina on November 1, 2011, had a tag affixed annotating what appeared to be initials.)

Molina identified the initials "MRT" as referring to "Martha".

Molina stated **VILLALVA PATRICIO** is also known as "Martha".

7. On May 4, 2012, Javier Molina plead guilty to federal violations of 22 USC 2778, Control of Arms Exports and Imports. On May 14, 2012, Santos Garcia plead guilty to federal violation of 22 USC 2778, Control of Arms Exports and Imports.

8. On June 22, 2012, Special Agent (SA) Brent Druery and SA Holly Krantz conducted a follow up interview with Molina at the Pearl River County, Mississippi, Correctional Facility. Molina made the following statements during the interview.

Molina stated Paula **VILLALVA-PATRICIO** is also known as Martha.

Molina stated **VILLALVA-PATRICIO** is known as Martha in Mexico.

Molina stated he believed Martha is the real name of Paula **VILLALVA-PATRICIO**.

Molina was shown photographs of the seized firearms, firearm components, magazines, and ammunition, which were all marked with initials.

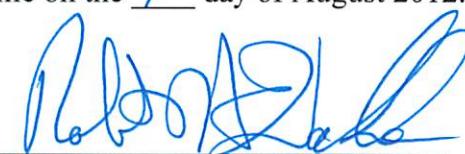
Molina stated the initials "MTA", stood for Martha and those firearms/components belonged to **VILLALVA-PATRICIO**.

9. Based on the experience of your affiant and the facts and circumstances described in this affidavit, it is believed by your affiant that Paula **VILLALVA-PATRICIO**, has conspired with Santos Garcia, Molina and others known and unknown to the investigation to commit violations of: 18 USC 554, Smuggling Goods from the United States; Which makes it unlawful to fraudulently or knowingly export or send from the United States, or attempts to export or send

from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation, concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States.


Special Agent Brent Druery
Homeland Security Investigations

Sworn to and subscribed before me on the 9th day of August 2012.


United States Magistrate Judge